

IN RE: PETITION FOR ZONING VARIANCE
S/S Bonnie Brae Rd., 189.87'
SE of c/l of Three Oaks Road
4739 Bonnie Brae Road
2nd Election District
2nd Councilmanic District
William H. Johnson, Jr.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-391-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 300.1A to permit the height of a T.V. Satellite Dish in rear yard to be 18 ft. in lieu of the permitted 15 ft., as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner's wife, Estelle Johnson, appeared, testified and was represented by S. Eric DiNenna, Esquire. Appearing on behalf of the Petitioner was Harold L. Haley, Manager of Action Antenna Earth-Satellite Corporation. Appearing as Protestants were John and Brenda Wade.

Testimony indicated that the subject property, known as 4739 Bonnie Brae Road consists of .194 acres +/-, zoned D.R.5.5 and is currently improved with an existing family dwelling, accessory shed, pool and subject satellite dish.

Testimony indicated that Mrs. Johnson had the subject dish installed in the Spring of 1989. Mrs. Johnson indicated that she was advised by the satellite installation company that the present location of the dish was the only place in her rear yard that would provide adequate reception in view of the large mature trees in the immediate neighborhood. She was advised that the pole type mount suspending the dish 18 feet in the air was the only practical means of achieving acceptable reception.

Mr. Harold Haley, Manager of Action Antenna Corp., stated that the present location and height of the satellite dish is the only location in Petitioner's yard which would provide adequate reception. He testified that his study of the subject site indicated that the only other location for the dish would be on Petitioner's roof, but in view of the dishes weight (approximately 800 pounds), it would be unsafe to place such a structure on Petitioner's roof in view of high wind hazards.

Mrs. Brenda Wade, a Protestant, testified that she and her husband are the Petitioner's adjoining neighbors immediately opposite the subject dish at 4737 Bonnie Brae Road. Mrs. Wade testified that she is concerned that the size and height of the dish present a safety hazard for herself and the children that play in her backyard. She testified that she is concerned that a high wind could cause the dish to topple in her back yard where children routinely play. She also testified that her family has lost some of the enjoyment associated with the use of their pool as a result of the subject dish.

Mr. John Wade, a Protestant, concurred with his wife's testimony.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

-2-

- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

Satellite dishes have long been the source of considerable community discontent. While the Zoning Commissioner finds such dishes particularly offensive in residential communities, the Baltimore County Zoning Regulations (B.C.Z.R.) nevertheless permit their use as of right in residential zones. Further, the testimony and evidence clearly indicated that there was no other appropriate location on the Petitioner's property to locate the dish and still receive adequate reception. Therefore, it is clear that a practical difficulty or unreasonable hardship would result if the variance was not granted.

It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of May, 1990 that the Petition for a Zoning Variance to permit the height of a T.V. Satellite Dish in rear yard to be

18 ft. in lieu of the permitted 15 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH/emn

cc: Peoples Counsel
cc: Protestants

ORDER RECEIVED FOR FILING

Date 5/17/90
By J. Robert Haines

ORDER RECEIVED FOR FILING

Date 5/17/90
By J. Robert Haines

ORDER RECEIVED FOR FILING

Date 5/17/90
By J. Robert Haines

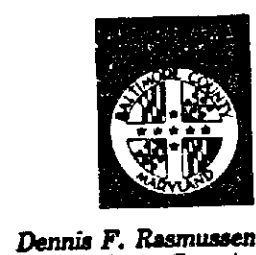
ORDER RECEIVED FOR FILING

Date 5/17/90
By J. Robert Haines

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

May 2, 1990



S. Eric DiNenna, Esquire
409 Washington Street, Suite 600
Townson, Maryland 21204

RE: Petition for Zoning Variance
Case No. 90-391-A

Dear Mr. DiNenna:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3351.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:emn

cc: Peoples Counsel
cc: Mrs. William H. Johnson, Jr.
4739 Bonnie Brae Road
Pikesville, Maryland 21208

cc: Mr. and Mrs. John Wade
4737 Bonnie Brae Road
Pikesville, Maryland 21208

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-391-A
The undersigned, legal owner(s) of the property at the address and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 300.1A to permit the height of a T.V. Satellite Dish in rear yard to be 18' in lieu of 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Site factors
2. Sight factors and directions
3. Other reasons to be presented at time of hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Legal Owner(s):

William H. Johnson, Jr.

(Type or Print Name)

Signature

Address

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-391-A
The undersigned, legal owner(s) of the property at the address and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 300.1A to permit the height of a T.V. Satellite Dish in rear yard to be 18' in lieu of 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Site factors
2. Sight factors and directions
3. Other reasons to be presented at time of hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Legal Owner(s):

William H. Johnson, Jr.

(Type or Print Name)

Signature

Address

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

Signature

City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 23 day of May, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 17 day of April, 1990, at 9:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: 8-001-6150
Number

Receipt No. 1200

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: 8-001-6150
Number

Receipt No. 2154

4/17/90

PUBLIC HEARINGS FILES

QTY

PRICE

160 POSTING SIGNS / ADVERTISING 1 X

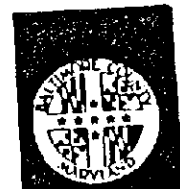
191.70

TOTAL: \$91.70

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE APR. 05 1990



Dennis F. Rasmussen
County Executive

Estelle Johnson
4739 Bonnie Brae Road
Baltimore, Maryland 21208

Re: Petition for Zoning Variance
CASE NUMBER: 90-391-A
5/3 Bonnie Brae Road, 189.87' SE of c/l of Three Oaks Road
4739 Bonnie Brae Road
2nd Election District - 2nd Councilmanic
Petitioner(s): William H. Johnson, Jr.
HEARING: TUESDAY, APRIL 17, 1990 at 9:30 a.m.

Dear Petitioner:

Please be advised that \$91.70 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204, 15 minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

cc: S. Eric DiNanno, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

February 27, 1990

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-391-A
5/3 Bonnie Brae Road, 189.87' SE of c/l of Three Oaks Road
4739 Bonnie Brae Road
2nd Election District - 2nd Councilmanic
Petitioner(s): William H. Johnson, Jr.
HEARING: TUESDAY, APRIL 17, 1990 at 9:30 a.m.

Variance to permit the height of a T.V. Satellite Dish in rear yard to be 18 ft. in lieu of the required 15 ft. maximum.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Estelle Johnson
S. Eric DiNanno, Esq.

PROTESTANT(S) SIGN-IN SHEET

NAME: Bob Wade
ADDRESS: 4737 BONNIE BRAE RD
4737 BONNIE BRAE RD

90-391A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME: Estelle Johnson
ADDRESS: 4738 Bonnie Brae Rd. Pikesville, Md. 21208
Harold L. Hany 4128 Washington Blvd, Annapolis, Md 21403

ACTION ANTENNA EARTH-SATELLITE CORP.

4128 WASHINGTON BLVD., RT. 1
BALTIMORE, MARYLAND 21221
Balto. 242-0440 Wash. 621-1168

SOURCE 1527

SERVICE CALL		DATE 8-10-89	N° 651
NAME	BILL JOHNSON		
ADDRESS	4739 BONNIE BRAE RD.		
PHONE	PIKESVILLE MD. 21208 655 5065		
SERVICE WANTED	SURVEY TO SEE IF DISH CAN BE LOWERED. 47.50		
DATE	8-10-89		
TIME	1:00 PM		
ASSIGNED TO	TOM NIKKE		

DESCRIPTION OF SERVICE COMPLETED		DATE
RE SURVEYED SITE		8-10-89
IMPOSSIBLE FOR CUSTOMER TO HAVE LINE OF SIGHT FOR SATELLITE ARCH AT ANY LOWER HEIGHT FROM PRESENT POSITION OR ELSE WHERE ON CUSTOMER'S PROPERTY.		8-10-89
PAID CHECK # 1635 CASH		8-10-89
SIGNATURE: Estelle Johnson		8-10-89
TOM NIKKE		8-10-89

PETITIONER'S EXHIBIT 2

* AFTER INSTALLATION
Trees vs Satellite
Fares up
Wind Load
ugly

Difficulty
Safety
Falling!

90-391A

Baltimore Satellite Entertainment, Inc.
3000 Liberty Height Ave
Baltimore, Maryland 21215

Bill Johnson
4739 Bonnie Brae Road
Randallstown, Maryland 21207

Ref: Statement of Satellite Installation and Location.

On the 16th day of November 1988, Mr. Kyle Briscoe and myself was called upon to conduct a site survey at the home of Mr. Bill Johnson to determine whether Mr. Johnson could receive satellite signals at his location from the south-western hemisphere.

It was determined by the survey that satellite signals could only be received if the dish was atleast 15ft. extended in the air on a strong free standing fabricated pole, located at the north east portion of the back yard about 3ft. from the neighbor fence.

Mr. Johnson was informed as to the location and gave his approval and thus the install and location was agreed upon and completed. It was also suggested by Mr. Briscoe and myself that the Channel Master Dish, weighting about 800lbs. was probably much too heavy to be installed on the roof.

Clarence White
VP. Operation

PETITIONER'S EXHIBIT 3

90-391A



Certificate of Marriage State of Maryland HOWARD COUNTY (13)

LICENSE NO. 17379

I Herby Certify that on the 7th day of August

the following persons were by me united in marriage at Ellicott City, Md.

in accordance with the License of the Clerk of the Court in the jurisdiction shown

Groom's Name: WILLIAM HENRY JOHNSON, JR. Age 49 Birthplace Md.

Residence Pikesville, Balto. Co., Md. Marital Status Div. 11/2

Bride's Name: ESTELLE ROBERTA OWENS Age 41 Birthplace Md.

Residence Pikesville, Balto. Co., Md. Marital Status Single

Relationship to groom if any NONE

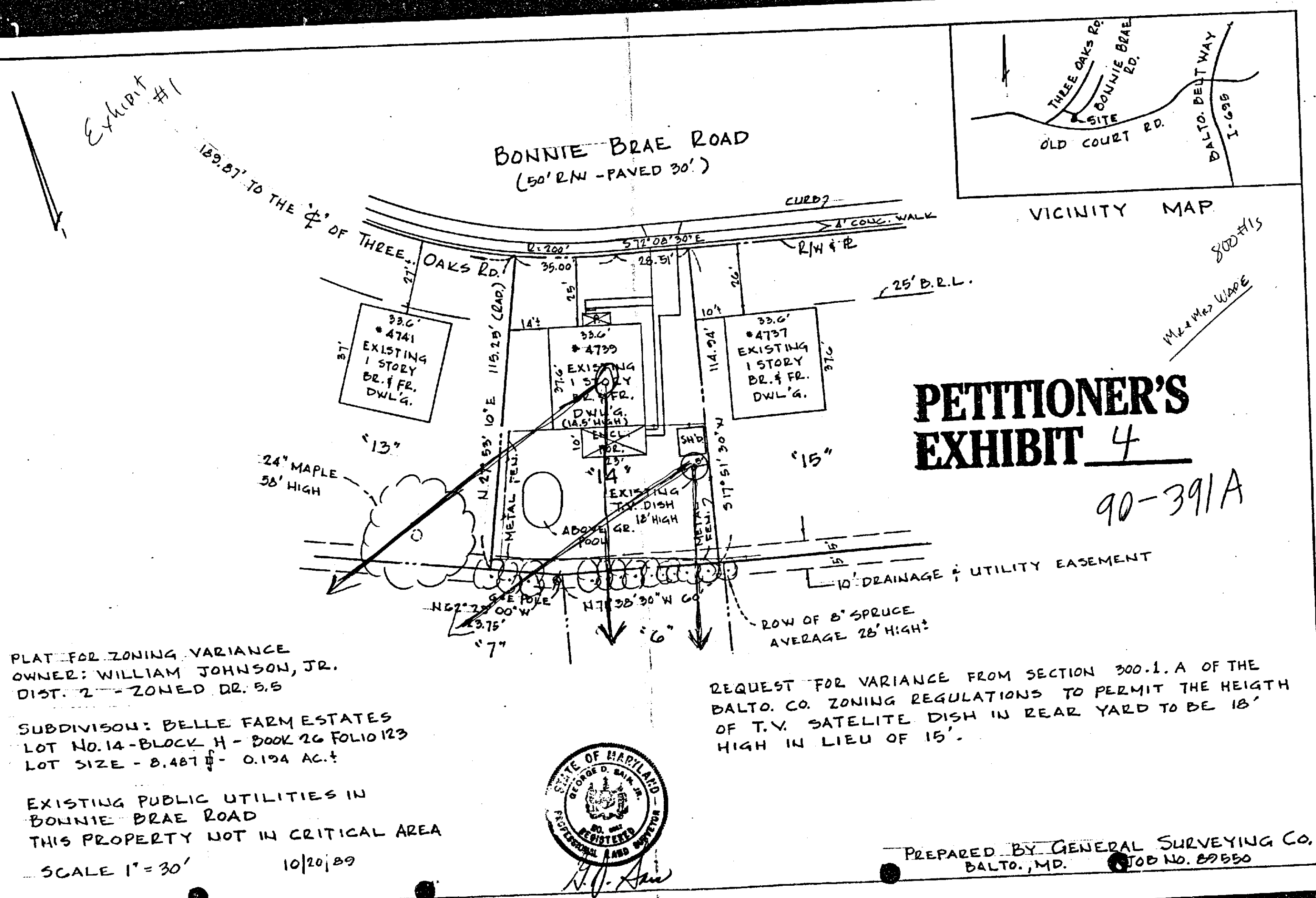
License Date AUG. 7, 1989

Signature of Officiating Clergy or Authorized Officer

Clerk of the Circuit Court

Witness: John C. Owens, Ellicott City, Md.

Witness: Alice D. Owens, Ellicott City, Md.



LIBER 6351 PAGE 83

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said parties of the second part as joint tenants and not as tenants in common, their assigns, the survivor of them, his, her or their personal representatives, heirs and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors

Test: Arthur Louis Cosser (SEAL)
ARTHUR LOUIS COSSER

Betty Jean Rose (SEAL)
BETTY JEAN ROSE

STATE OF MARYLAND, County of Prince George's, to wit:
I HEREBY CERTIFY, That on this 25th day of November, 1981, before me, in the year one thousand nine hundred and eighty-one, the subscriber, a Notary Public of the State aforesaid, personally appeared ARTHUR LOUIS COSSER known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

LIBER 6351 PAGE 83

STATE OF FLORIDA, to wit:

I HEREBY CERTIFY, That on this 19th day of November, 1981, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared BETTY JEAN ROSE, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Wanda Louise Walker
Notary Public

My commission expires: Notary Public, State of Florida At Large
My Commission Expires Dec. 26, 1983
Signed in 1983 before me, Notary Public, State of Florida

Rec'd for record DEC 9 1981 at 10:42
Per Elmer H. Fahlme, Jr., Clerk
Mail to Central Md. Title Co.
Receipt No. 1465

DEED

FROM

ARTHUR LOUIS COSSER and

BETTY JEAN ROSE

TO

WILLIAM H. JOHNSON, JR. and

ESTELLE R. OWENS

Block No. _____

Received for Record, _____, 19____

at _____ o'clock _____ M. Same day recorded

in Liber _____ No. _____ Folio _____ &c.,

one of the Land Records of _____

_____ and examined per _____ Clerk.

Cost of Record, \$ _____

Central Maryland Title Co.
Suite 412 Empire Towers
7310 Ritchie Highway
Glen Burnie, Maryland 21061
766-0320

THE DAILY RECORD CO., BALTIMORE, MD. 21202

REAL ESTATE

WESTMINSTER

Truly unique, contemp. 4 yrs. old, floor plan adaptable to fill your needs. 3 1/2 ba., 4 BR, 1st fl. FR w/2, in-law quarters, great loc., offers pub. water & sewer, nr. W. Md. College. Appraised Value \$158,000. Listed for \$189,500. Call Julian Garcia • 876-3318 Long & Foster • 876-7100

FOR RENT

NEW OFFICE SPACE—Restroom, elevator served. 484-6900.

FOR RENT

PARK HEIGHTS AVENUE

Newly Renovated

Knightbridge Apartments

Conveniently located

Leasing Office Located at 5906 Park Heights Ave.

CALL 542-8339

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 30, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 27, 1990

THE JEFFERSONIAN,

S. Zebe Orlum
Publisher

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

Date of Posting: March 22, 1990

District: 2nd

Variance

Posted for: William H. Johnson, Jr.

Petitioner: 515 Pennine Bras Road, 189.87' S.E. of c/c of

Location of property: 4739 Pennine Bras Road

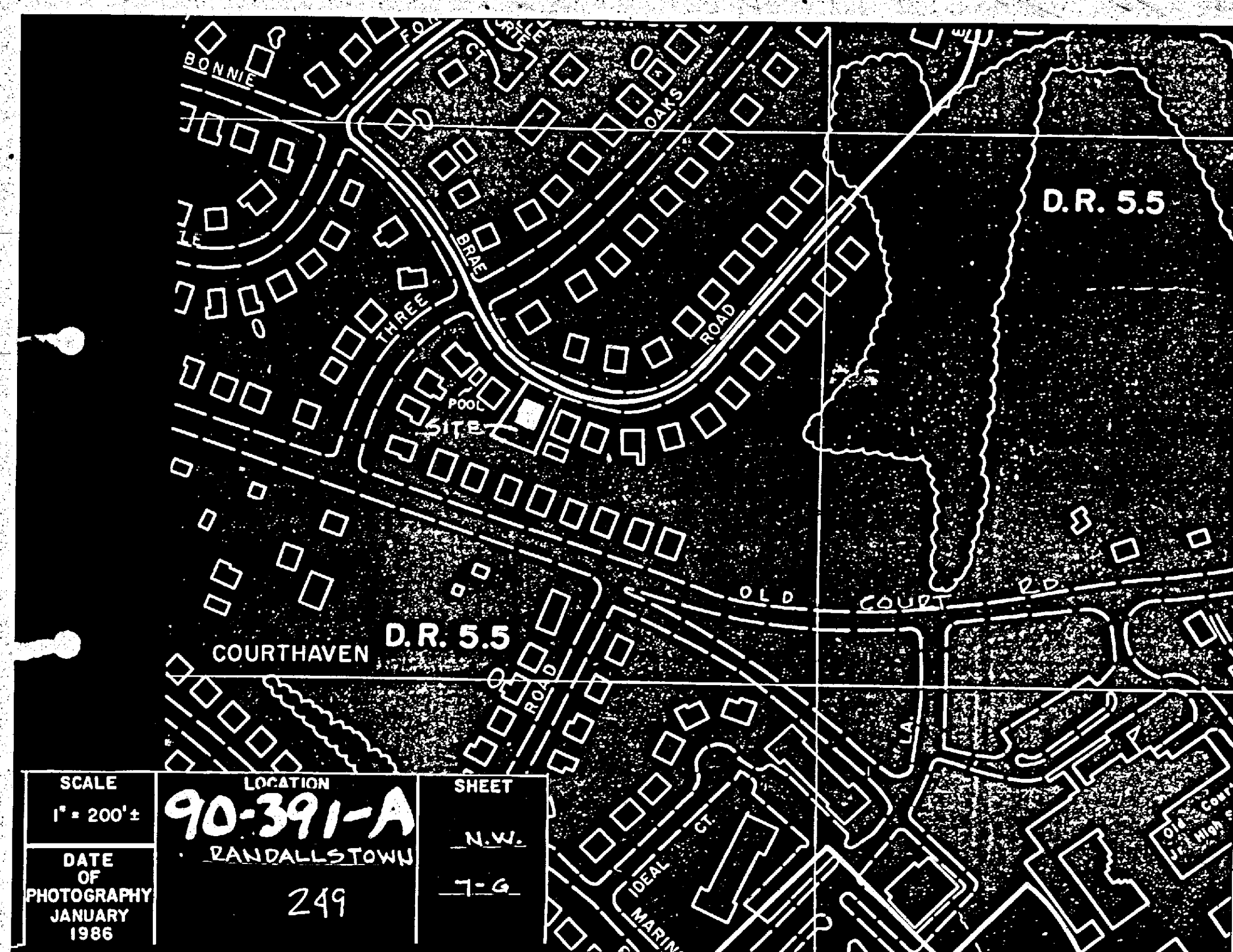
Location of Sign: In front of 4739 Pennine Bras Road

Remarks: S. J. Arata

Posted by: S. J. Arata

Date of return: March 30, 1990

Number of Signs: 1



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

March 30, 1990



Dennis F. Rasmussen
County Executive

S. Eric DiNenna, Esquire
409 Washington Avenue, Suite 600
Towson, MD 21204

RE: Item No. 249, Case No. 90-391-A
Petitioner: William H. Johnson, Jr.
Petition for Zoning Variance

Dear Mr. DiNenna:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
23rd day of February, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: William H. Johnson, et ux

Petitioner's Attorney: S. Eric DiNenna

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: March 1, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: William H. Johnson, Jr., Item 249

The Petitioner requests a Variance to permit a satellite dish in the rear yard.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

MAR 05 1990

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554



Dennis F. Rasmussen
County Executive

March 9, 1990

J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 237, 246, 247, 248, 249, and 250.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

MAR 21 1990

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

FEBRUARY 14, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: WILLIAM H. JOHNSON
Location: #4739 BONNIE BRAE ROAD
Item No.: 249 Zoning Agenda: FEBRUARY 22, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Capt. John J. Boudry* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

FEB 20 1990

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 22, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 246, 247, 248, 249, 250 and 251.

Item 237 is subject to the previous County Review Group comments for this site.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

MAR 09 1990

IN RE: PETITION FOR ZONING VARIANCE
S/S Bonnie Brae Rd., 189.87'
SE of c/l of Three Oaks Road
4739 Bonnie Brae Road
2nd Election District
2nd Councilmanic District
William H. Johnson, Jr.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-391-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 300.1A to permit the height of a T.V. Satellite Dish in rear yard to be 18 ft. in lieu of the permitted 15 ft., as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner's wife, Estelle Johnson, appeared, testified and was represented by S. Eric DiNenna, Esquire. Appearing on behalf of the Petitioner was Harold L. Haley, Manager of Action Antenna Earth-Satellite Corporation. Appearing as Protestants were John and Brenda Wade.

Testimony indicated that the subject property, known as 4739 Bonnie Brae Road consists of .194 acres +/-, zoned D.R.5.5 and is currently improved with an existing family dwelling, accessory shed, pool and subject satellite dish.

Testimony indicated that Mrs. Johnson had the subject dish installed in the Spring of 1989. Mrs. Johnson indicated that she was advised by the satellite installation company that the present location of the dish was the only place in her rear yard that would provide adequate reception in view of the large mature trees in the immediate neighborhood. She was advised that the pole type mount suspending the dish 18 feet in the air was the only practical means of achieving acceptable reception.

Mr. Harold Haley, Manager of Action Antenna Corp., stated that the present location and height of the satellite dish is the only location in Petitioner's yard which would provide adequate reception. He testified that his study of the subject site indicated that the only other location for the dish would be on Petitioner's roof, but in view of the dishes weight (approximately 800 pounds), it would be unsafe to place such a structure on Petitioner's roof in view of high wind hazards.

Mrs. Brenda Wade, a Protestant, testified that she and her husband are the Petitioner's adjoining neighbors immediately opposite the subject dish at 4737 Bonnie Brae Road. Mrs. Wade testified that she is concerned that the size and height of the dish present a safety hazard for herself and the children that play in her backyard. She testified that she is concerned that a high wind could cause the dish to topple in her back yard where children routinely play. She also testified that her family has lost some of the enjoyment associated with the use of their pool as a result of the subject dish.

Mr. John Wade, a Protestant, concurred with his wife's testimony.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

-2-

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

Satellite dishes have long been the source of considerable community discontent. While the Zoning Commissioner finds such dishes particularly offensive in residential communities, the Baltimore County Zoning Regulations (B.C.Z.R.) nevertheless permit their use as of right in residential zones. Further, the testimony and evidence clearly indicated that there was no other appropriate location on the Petitioner's property to locate the dish and still receive adequate reception. Therefore, it is clear that a practical difficulty or unreasonable hardship would result if the variance was not granted.

It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of May, 1990 that the Petition for a Zoning Variance to permit the height of a T.V. Satellite Dish in rear yard to be

-3-

18 ft. in lieu of the permitted 15 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH/emn

cc: Peoples Counsel
cc: Protestants

ORDER RECEIVED FOR FILING
Date 5/17/90
By [Signature]

-4-

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

May 2, 1990



S. Eric DiNenna, Esquire
409 Washington Street, Suite 600
Townson, Maryland 21204

RE: Petition for Zoning Variance
Case No. 90-391-A

Dear Mr. DiNenna:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3351.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:emn

cc: Peoples Counsel
cc: Mrs. William H. Johnson, Jr.
4739 Bonnie Brae Road
Pikesville, Maryland 21208

cc: Mr. and Mrs. John Wade
4737 Bonnie Brae Road
Pikesville, Maryland 21208

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-391-A
The undersigned, legal owner(s) of the property at 4739 Bonnie Brae Road and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 300.1A to permit the height of a T.V. Satellite Dish in rear yard to be 18' in lieu of 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Site factors
2. Sight factors and directions
3. Other reasons to be presented at time of hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
William H. Johnson, Jr.
(Type or Print Name)
Signature
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
S. Eric DiNenna, Esquire
(Type or Print Name)
Signature
Address
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
S. Eric DiNenna, Esquire
409 Washington Ave., Suite 600
Townson, MD 21204, 296-6820
City and State
Attorney's Telephone No.: 296-6820

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of May, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 17th day of April, 1990, at 9:30 o'clock A.M.

(over)

ESTIMATED LENGTH OF HEARING - 1/2 hr. + 1 hr.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: CAM DATE 6/7/90

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-391-A
The undersigned, legal owner(s) of the property at 4739 Bonnie Brae Road and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 300.1A to permit the height of a T.V. Satellite Dish in rear yard to be 18' in lieu of 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Site factors
2. Sight factors and directions
3. Other reasons to be presented at time of hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
William H. Johnson, Jr.
(Type or Print Name)
Signature
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
S. Eric DiNenna, Esquire
(Type or Print Name)
Signature
Address
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
S. Eric DiNenna, Esquire
409 Washington Ave., Suite 600
Townson, MD 21204, 296-6820
City and State
Attorney's Telephone No.: 296-6820

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of May, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 17th day of April, 1990, at 9:30 o'clock A.M.

(over)

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: 8001-6150
Number

receipt
No. 1200

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: 8001-6150
Number

receipt
No. 2154

90-391

4/17/90

M9000484

PUBLIC HEARINGS FILES

QTY

PRICE

680 POSTING SIGNS / ADVERTISING 1 X

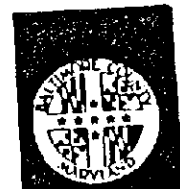
191.70

TOTAL: \$91.70

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE APR. 05 1990



Dennis F. Rasmussen
County Executive

Estelle Johnson
4739 Bonnie Brae Road
Baltimore, Maryland 21208

Re: Petition for Zoning Variance
CASE NUMBER: 90-391-A
5/3 Bonnie Brae Road, 189.87' SE of c/l of Three Oaks Road
4739 Bonnie Brae Road
2nd Election District - 2nd Councilmanic
Petitioner(s): William H. Johnson, Jr.
HEARING: TUESDAY, APRIL 17, 1990 at 9:30 a.m.

Dear Petitioner:

Please be advised that \$91.70 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204, fifteen minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

cc: S. Eric DiNanno, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

February 27, 1990

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-391-A
5/3 Bonnie Brae Road, 189.87' SE of c/l of Three Oaks Road
4739 Bonnie Brae Road
2nd Election District - 2nd Councilmanic
Petitioner(s): William H. Johnson, Jr.
HEARING: TUESDAY, APRIL 17, 1990 at 9:30 a.m.

Variance to permit the height of a T.V. Satellite Dish in rear yard to be 18 ft. in lieu of the required 15 ft. maximum.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Estelle Johnson
S. Eric DiNanno, Esq.

PROTESTANT(S) SIGN-IN SHEET

NAME: Bob Wade
ADDRESS: 4737 BONNIE BRAE RD
4737 BONNIE BRAE RD

90-391A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME: Estelle Johnson
ADDRESS: 4739 Bonnie Brae Rd, Pikesville, Md. 21208
Harold L. Hany 4128 Washington Blvd, Annapolis, Md 21403

ACTION ANTENNA EARTH-SATELLITE CORP.

4128 WASHINGTON BLVD., RT. 1
BALTIMORE, MARYLAND 21221
Balto. 242-0440 Wash. 621-1168

SOURCE 1527		DATE 8-10-89		N° 651	
NAME BILL JOHNSON		TIME		CALL TAKEN BY	
ADDRESS 4739 BONNIE BRAE RD		PHONE 655 5065		CALLER'S NO. 21208	
SERVICE WANTED SURVEY TO SEE IF DISH CAN BE		DATE 8-10-89		TIME 4:00 PM	
LOCATION LOWERED 4739		QUANTITY 200		ON TO 250	
DATE 8-10-89		SIGNATURE		ASSIGNED TO	
TUES		WED		THURS	
FRI		SAT		SUN	

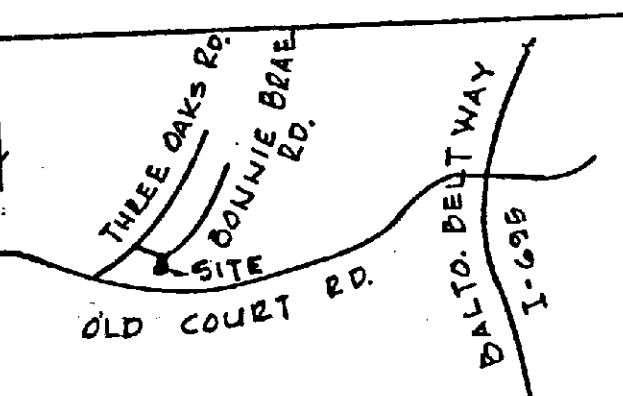
DESCRIPTION OF SERVICE COMPLETED		DATE	
RE SURVEYED SITE		8-10-89	
IMPOSSIBLE FOR CUSTOMER TO HAVE LINE OF SIGHT FOR SATELLITE ARCH AT ANY LOWER HEIGHT FROM PRESENT POSITION OR ELSE WHERE ON CUSTOMER'S PROPERTY.		47.50	
PAID CHECK # 1635 CASH		47.50	
SIGNATURE		47.50	
TOM RIZKE		47.50	

PETITIONER'S EXHIBIT 2

* AFTER INSTALLATION
Trees vs Satellite
Fares up
Wind Load
ugly

Difficulty
Safety
Falling!

90-391A



VICINITY MAP

BONNIE BRAE ROAD
(50' R/W - PAVED 30')

189.87' TO THE E OF THREE OAKS RD

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

25' D.E.L.

PETITIONER'S EXHIBIT 4

90-391A

PLAT FOR ZONING VARIANCE
OWNER: WILLIAM JOHNSON, JR.
DIST. 2 - ZONED R2.5S

SUBDIVISION: BELLE FARM ESTATES
LOT NO. 14 - BLOCK H - BOOK 26 FOLIO 123
LOT SIZE - 8.481 ± - 0.194 AC.

EXISTING PUBLIC UTILITIES IN
BONNIE BRAE ROAD
THIS PROPERTY NOT IN CRITICAL AREA

SCALE 1" = 30'

10/20/89

REQUEST FOR VARIANCE FROM SECTION 300-1.A OF THE
BALTO. CO. ZONING REGULATIONS TO PERMIT THE HEIGHT
OF T.V. SATELLITE DISH IN REAR YARD TO BE 18'
HIGH IN LIEU OF 15'.

PREPARED BY GENERAL SURVEYING CO.
BALTO., MD. JOB NO. 89550

Baltimore Satellite Entertainment, Inc.
3000 Liberty Height Ave
Baltimore, Maryland 21215

Bill Johnson
4739 Bonnie Brae Road
Randallstown, Maryland 21207

Ref: Statement of Satellite Installation and Location.

On the 16th day of November 1988, Mr. Kyle Briscoe and myself was called upon to conduct a site survey at the home of Mr. Bill Johnson to determine whether Mr. Johnson could receive satellite signals at his location from the south-western hemisphere.

It was determined by the survey that satellite signals could only be received if the dish was atleast 15ft. extended in the air on a strong free standing fabricated pole, located at the north east portion of the back yard about 3ft. from the neighbor fence.

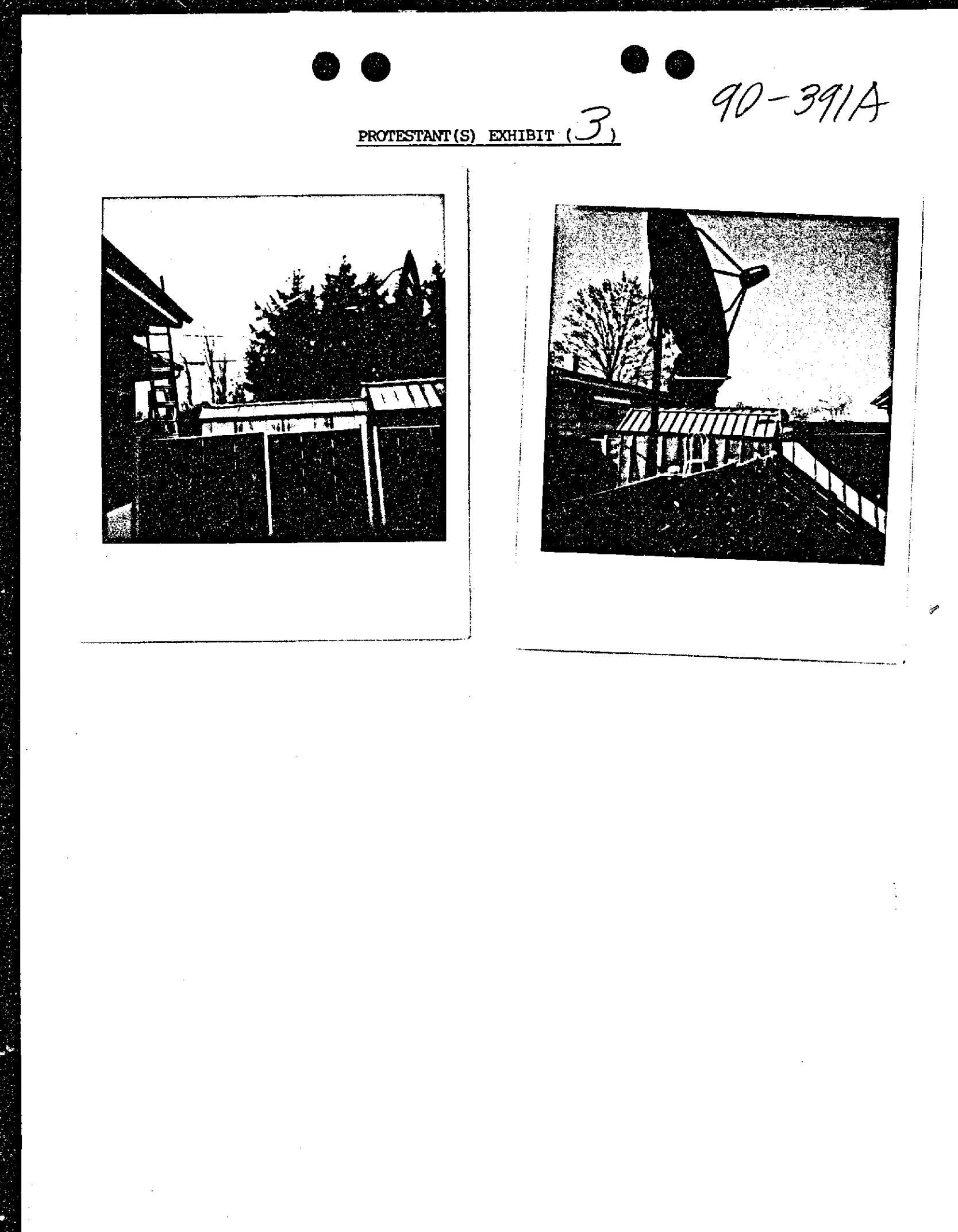
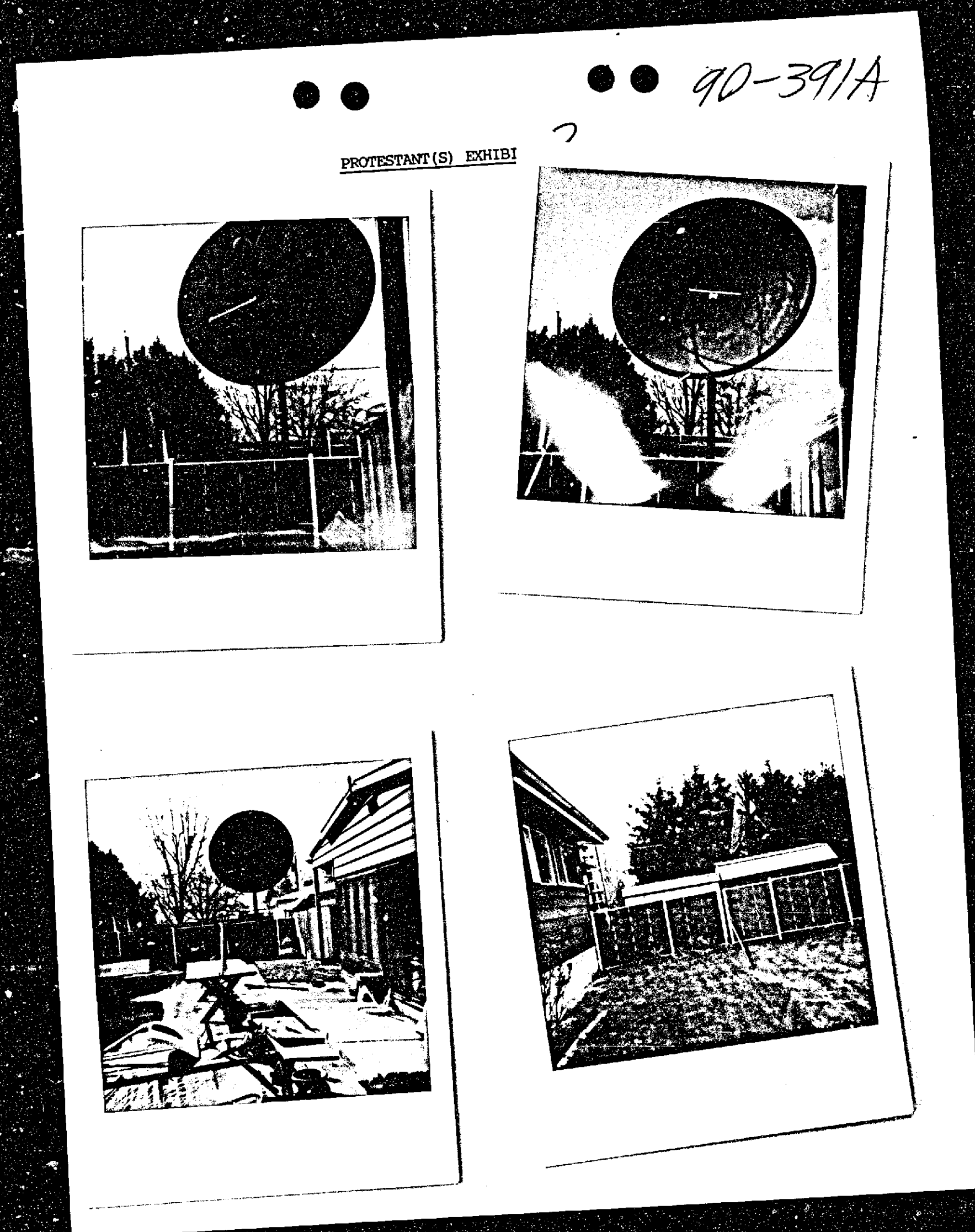
Mr. Johnson was informed as to the location and gave his approval and thus the install and location was agreed upon and completed. It was also suggested by Mr. Briscoe and myself that the Channel Master Dish, weighting about 800lbs. was probably much too heavy to be installed on the roof.

Clarence White
VP. Operation

PETITIONER'S EXHIBIT 3

90-391A

Certificate of Marriage		LICENSE NO. 17379	
State of Maryland		HOWARD COUNTY (13)	
I Herby Certify that on the 7th day of August			
the following persons were by me united in marriage at Elkott City, Md.			
in accordance with the License of the Clerk of the Court in the jurisdiction shown			
Groom's Name	WILLIAM HENRY JOHNSON, JR.	Age	49
Bride's Name	ESTELLE ROBERTA OWENS	Age	41
Groom's Residence	Pikesville, Balto. Co., Md.	Bride's Residence	Pikesville, Balto. Co., Md.
Groom's Marital Status	Div.	Bride's Marital Status	Single
Relationship to groom if any NONE			
License Date AUG. 7, 1985			
Clerk of the Circuit Court			
Witnesses			



TO Whom It MAY CONCERN:

ON AUGUST 8, 1989, A COMPLAINT WAS MADE TO THE ZONING ENFORCEMENT SECTION OF A VIOLATION OF THE ZONING CODE AT THE LOCATION 4739 BONNIE BRAE ROAD. AN ACCESSORY SATELLITE RECEIVING DISH WAS CONSTRUCTED IN VIOLATION OF BALTIMORE COUNTY ZONING REGULATIONS IN REFERENCE TO HEIGHT RESTRICTIONS AND SIDE/ REAR SETBACKS TO ADJACENT PROPERTY. THIS COMPLAINT WAS INVESTIGATED AND FOUND TO BE A VIOLATION OF THE ZONING CODE BY AN INSPECTOR.

A HEARING SCHEDULED FOR APRIL 17, 1990 FOR VARIANCE OF ZONING REGULATIONS TO ALLOW THIS SATELLITE DISH TO REMAIN IN ITS PRESENT LOCATION AND HEIGHT IS OBJECTABLE TO ME AND I SIGN THIS PETITION TO REGISTER MY OBJECTIONS.

- John Wade 4737 BONNIE BRAE RD
- Wieber Cooke 4733 Bonnie Brae Rd.
- John D. Wright 4731 Bonnie Brae Rd.
- Eileen O Foreman 4716 Old Court Rd.
- Radio B. Parnell 4714 Old Ct. Rd.
- MARK WARTOW 4720 Old Ct. Rd.
- IRVIN LOCUST 4735 Bonnie Brae Rd

PROTESTANT'S EXHIBIT 1

90-391A

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer
Zoning Supervisor

DATE: March 9, 1990

FROM: James H. Thompson
Zoning Enforcement Coordinator

RE: Item No. 249 (if known)
Petitioner: Mrs. Estelle Johnson (if known)

VIOLATION CASE # C-90-87

LOCATION OF VIOLATION 4749 Bonniebrae Road

DEFENDANT Mrs. Estelle Johnson

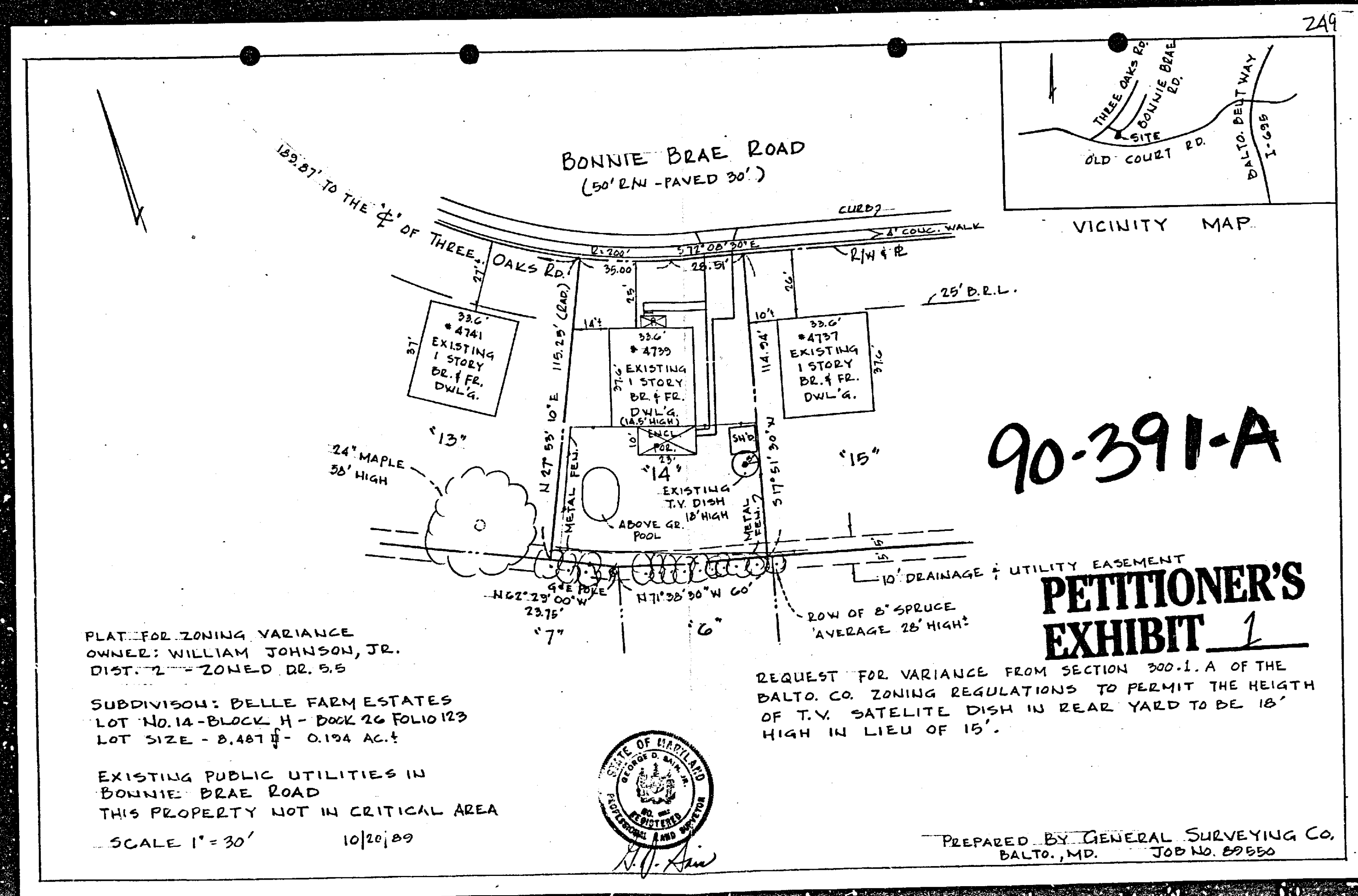
ADDRESS 4739 Bonniebrae Road Baltimore, MD 21208

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME	ADDRESS
John Wade	4737 Bonniebrae Road Baltimore, MD 21208

After the public hearing is held, please send a copy of the Zoning Commissioner's order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

ech/



DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW

5 ERIC DINENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.

GERALDINE A. KLAUBER
FRANCIS X. BERGERING, JR.

P.O. BOX 10508
TOWSON, MARYLAND 21285-0508

SUITE 600
MERCANTILE TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(301) 296-6820
TELEFAX (301) 296-6884

RECEIVED
MAR 6 1990
ZONING OFFICE

March 5, 1990

90-391-A

RE: Petition for Variance
Item #249
4739 Bonnie Brae Road
My File No.: 89-56

Dear Mr. Commissioner:

The above-captioned matter was filed with your office on February 1, 1990.

A member of your staff, Kate, questioned the signature on the Petition by Mrs. Johnson inasmuch as Mr. Johnson's name was typed. I informed her that Mr. Johnson had just passed away.

I am herewith enclosing verification of the ownership of this property in that Mrs. Johnson is the former Estelle R. Owens and by Deed of December 3, 1981, she and Mr. Johnson acquired the property as joint tenants and not tenants in common. As you are aware, upon Mr. Johnson's death, Mrs. Johnson is the owner as the survivor of them.

Also enclosed herewith please find a photocopy of Mr. Johnson's death certificate.

I would request that this be placed in your zoning file and that that matter go to hearing as soon as possible.

Thank you for your cooperation.

Very truly yours,
ERIC DINENNA

Enclosures
cc: Mrs. Estelle Johnson
Mr. Timothy L. Fitts

(NOTE: SPEKE WITH ERIC ON 3/7/90 - Informed him that Death Certificate was not enclosed, and that the Petition Certificate was enclosed. He stated that Eric does not believe he is in possession of the Death Certificate, having forwarded papers supplied by the client.)

SED:bjk
Enclosures

LIBER 6351 832 A-5702

This Deed, MADE THIS 3rd day of December

In the year one thousand nine hundred and eighty-one by and between

ARTHUR LOUIS COSSER and BETTY JEAN ROSE (formerly Betty Jean Cosser)

of the first part, and

WILLIAM H. JOHNSON, JR. and ESTELLE R. OWENS

of the second part.

WITNESSETH, That in consideration of the sum of FIFTY-FIVE THOUSAND AND 00/100ths DOLLARS (\$55,000.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged,

the said parties of the first part

do grant and convey to the said parties of the second part as joint tenants and not as tenants in common, their assigns, the survivor of them, his, her or their

personal representatives, successors and assigns, in fee simple, all

that lot of ground situate in Baltimore County, State of Maryland and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 14, Block H, as shown on a Plat entitled "Plat 2, Section 3, Belle Farm Estates," which Plat is recorded among the Land Records of Baltimore County in M.R. Liber 26, page 123. The improvements thereon being known as No. 4739 Bonnie Brae Road.

BEING the same lot of ground described in a Deed dated February 6, 1979, and recorded among the Land Records of Baltimore County in E.H.K. Liber 5993, page 84, which was granted and conveyed by The Savings Bank of Baltimore unto the within named Grantors; the aforesaid Grantors are divorced and Betty Jean Cosser has remarried and is now known as Betty Jean Rose.

03/11/90 20143922 19-C-21
03/12/90 20182322 10-C-23
03/17/90 50182927 10-C-21

LIBER 6351 PAGE 83

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said parties of the second part as joint tenants and not as tenants in common, their assigns, the survivor of them, his, her or their personal representatives, heirs and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors

Test: Arthur Louis Cosser (SEAL)
ARTHUR LOUIS COSSER

Betty Jean Rose (SEAL)
BETTY JEAN ROSE

STATE OF MARYLAND, County of Prince George's, to wit:
I HEREBY CERTIFY, That on this 25th day of November, 1981, before me, in the year one thousand nine hundred and eighty-one, the subscriber, a Notary Public of the State aforesaid, personally appeared ARTHUR LOUIS COSSER known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

LIBER 6351 PAGE 83

STATE OF FLORIDA, to wit:

I HEREBY CERTIFY, That on this 19th day of November, 1981, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared BETTY JEAN ROSE, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Wanda Louise Walker
Notary Public

My commission expires: Notary Public, State of Florida At Large
My Commission Expires Dec. 26, 1983
Signed in 1983 before me, Notary Public, State of Florida

Rec'd for record DEC 9 1981 at 10:42
Per Elmer H. Fahlberg, Jr., Clerk
Mail to Central Md. Title Co.
Receipt No. 1465

DEED

FROM

ARTHUR LOUIS COSSER and

BETTY JEAN ROSE

TO

WILLIAM H. JOHNSON, JR. and

ESTELLE R. OWENS

Block No. _____

Received for Record, _____ 19____

at _____ o'clock _____ M. Same day recorded

in Liber _____ No. _____ Folio _____ &c.,

one of the Land Records of _____

and examined per _____ Clerk.

Cost of Record, \$ _____

Central Maryland Title Co.
Suite 412 Empire Towers
7310 Ritchie Highway
Glen Burnie, Maryland 21061
766-0320

THE DAILY RECORD CO., BALTIMORE, MD. 21202

REAL ESTATE

WESTMINSTER

Truly unique, contemp. 4 yrs. old, floor plan adaptable to fill your needs. 3 1/2 ba., 4 BR, 1st fl. FR w/2, in-law quarters, great loc., offers pub. water & sewer, nr. W. Md. College. Appraised Value \$158,000. Listed for \$189,500. Call Julian Garcia • 876-3318 Long & Foster • 876-7100

FOR RENT

NEW OFFICE SPACE—Restroom, elevator served. 484-6900.

FOR RENT

PARK HEIGHTS AVENUE

Newly Renovated

Knightbridge Apartments

Conveniently located

Leasing Office Located at 5906 Park Heights Ave.

CALL 542-8339

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 30, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 27, 1990

THE JEFFERSONIAN,

S. Zebe Orlum
Publisher

CERTIFICATE OF POSTING

90-391-A

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

Date of Posting: March 22, 1990

District: 2nd

Variance

Posted for: William H. Johnson, Jr.

Petitioner: 515 Pennine Brae Road, 189.87' S.E. of c/c of

Location of property: 4739 Pennine Brae Road

Location of Sign: In front of 4739 Pennine Brae Road

Remarks: S. J. Arata

Posted by: S. J. Arata

Date of return: March 30, 1990

Number of Signs: 1



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

March 30, 1990



Dennis F. Rasmussen
County Executive

S. Eric DiNenna, Esquire
409 Washington Avenue, Suite 600
Towson, MD 21204

RE: Item No. 249, Case No. 90-391-A
Petitioner: William H. Johnson, Jr.
Petition for Zoning Variance

Dear Mr. DiNenna:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
23rd day of February, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: William H. Johnson, et ux

Petitioner's Attorney: S. Eric DiNenna

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: March 1, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: William H. Johnson, Jr., Item 249

The Petitioner requests a Variance to permit a satellite dish in the rear yard.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

MAR 05 1990

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554



Dennis F. Rasmussen
County Executive

March 9, 1990

J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 237, 246, 247, 248, 249, and 250.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

MAR 21 1990

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

FEBRUARY 14, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: WILLIAM H. JOHNSON
Location: #4739 BONNIE BRAE ROAD
Item No.: 249 Zoning Agenda: FEBRUARY 22, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Capt. John J. Bradley* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

FEB 20 1990

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 22, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 246, 247, 248, 249, 250 and 251.

Item 237 is subject to the previous County Review Group comments for this site.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

MAR 09 1990